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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/578,698

05/09/2006

David Sourlier

1033

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42938

7590

05/04/2010

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EXAMINER

JERABEK, KELLY L

ART UNIT

PAPER NUMBER

2622

MAIL DATE

DELIVERY MODE

05/04/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/578,698	<b>Applicant(s)</b> SOURLIER, DAVID	
	<b>Examiner</b> KELLY L. JERABEK	<b>Art Unit</b> 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 16-19 is/are rejected.
- 7) ☒ Claim(s) 5-15 and 20-24 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)                        | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This is a first office action in response to application 10/578,698 filed on 5/9/2006 in which claims 1-24 are presented for examination.

#### ***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### ***Claim Objections***

Claims 5-15 and 20-24 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from any other multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claims 5-15 and 20-24 have not been further treated on the merits.

Claims 18-19 are objected to because of the following informalities:

Re claim 18, please delete the language "e.g. in a P.C." from the claim.

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Re claim 19, please delete the language “e.g. the travel direction and any direction changes as well as speed and any speed changed, i.e. an acceleration or a braking procedure.”

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-2 and 16-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Kinoshita et al. US 5,757,949.**

Re claim 1, Kinoshita discloses an installation for recording travel and traffic situations of vehicles, characterized by an arrangement to be attached to a vehicle (1), of at least two detection cameras (2 CCD cameras 25) lying at a distance to one another (left side and right side of front end of vehicle), wherein their respective regions overlap in a common overlapping region (col. 3, line 58-col. 4, line 9; figure 2), by which means at least one reference point of the surroundings and recognition point of a

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second vehicle (preceding vehicle), recorded by the two detection cameras (25), may be triangulated, with the purpose, from a picture recording, of reconstructing its position and by way of this the position of at least one vehicle after a traffic situation (triangulation is used to calculate and detect obstacles, lanes and preceding vehicles) (col. 3, line 58-col. 4, line 9; figure 2).

Re claim 2, the Kinoshita reference further discloses that the detection cameras (25) are connected to a memory (image recognizing unit 26 that processes captured images) for storing and processing image recordings (col. 3, line 58-col. 4, line 9; figure 2).

Re claim 16, the Kinoshita reference further discloses that at least one reference point or recognition point is recorded by the cameras (25) and is triangulated in order to detect a position or movement of a vehicle (preceding vehicle) after a traffic situation (preceding vehicle moving in front of vehicle 1) (col. 3, line 58-col. 4, line 9).

Re claims 17-18, the Kinoshita reference further discloses that the triangulation is effected by picture processing and the computation of recognition points in a picture sequence of a picture recording (recording by cameras 25) is effected automatically in an apparatus (image recognizing unit 26) with suitable computation formulae (col. 3, line 58-col. 4, line 9).

Re claim 19, the Kinoshita reference further discloses that the movements of the vehicles (vehicle 1 and preceding vehicle) are computed from a position change of a reference point or recognition point in a picture sequence of a picture recording (images recorded by cameras 25 are used for detection) (col. 3, line 58-col. 4, line 9).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinoshita et al. US 5,757,949 in view of Simon et al. US 6,757,009.**

Re claims 3-4, Kinoshita discloses all of the limitations of claims 1 and 2 above including images recorded by the two detection cameras (25) that are triangulated in order to calculate and detect objects (triangulation is used to calculate and detect obstacles, lanes and preceding vehicles) (col. 3, line 58-col. 4, line 9; figure 2).

However, although the Kinoshita reference discloses all of the above limitations, it fails to specifically disclose that the triangulation method includes calculating the triangulation by using the distance between the detection cameras (25).

Simon discloses triangulation method for stereoscopic cameras. Simon specifically discloses that it is well known in the art for triangulation methods to include the distance between stereoscopic cameras in a triangulation calculation in order to accurately detect distances between the cameras and objects (col. 4, lines 47-62; figure 5). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the teaching of including a distance between stereoscopic cameras in a triangulation calculation as disclosed by the Simon reference in the triangulation method disclosed by the Kinoshita reference. Doing so would provide a means for accurately implementing triangulation in order to detect objects that surround a series of cameras.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ikeda et al. US 5,699,057

Kinoshita et al. US 5,642,093

Suzuki et al. US 5,026,153

### ***Contacts***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelly L. Jerabek whose telephone number is **(571) 272-7312**. The examiner can normally be reached on Monday - Friday (8:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached at **(571) 272-3022**. The fax phone number for submitting all Official communications is **(571) 273-7300**. The fax phone number for submitting informal communications such as drafts, proposed amendments, etc., may be faxed directly to the Examiner at **(571) 273-7312**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Kelly L. Jerabek/

Primary Examiner, Art Unit 2622